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United Nations

# Report of the Committee against Torture

**Fifty-fifth session**
**(27 July-14 August 2015)**

**Fifty-sixth session**
**(9 November-9 December 2015)**

**Fifty-seventh session**
**(18 April-13 May 2016)**

**General Assembly**
**Official Records**
**Seventy-first session**
**Supplement No. 44 (A/71/44)**

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*Note*

Symbols of United Nations documents are composed of letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

*Summary*

The present annual report covers the period from 16 May 2015 to 13 May 2016, during which the Committee against Torture held its fifty-fifth, fifty-sixth and fifty-seventh sessions. As at 13 May 2016, there were 159 States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

During the period under review, the Committee considered, and adopted concluding observations on, 17 reports submitted under article 19 of the Convention (see chap. III). At its fifty-fifth session, it considered the reports of Iraq, Slovakia and Switzerland. At its fifty-sixth session, it considered the reports of Austria, Azerbaijan, China, Denmark, Jordan and Liechtenstein, as well as the reports of Hong Kong, China, and Macau, China. At its fifty-seventh session, it considered the reports of France, Israel, the Philippines, Saudi Arabia, Tunisia and Turkey.

The Committee deplores the fact that some States parties do not comply with their reporting obligations under article 19 of the Convention. At the time of reporting, there were 28 States parties with overdue initial reports and 35 States parties with overdue periodic reports (see chap. II).

The Committee's procedure for following up on concluding observations continued to develop during the reporting period (see chap. IV). The Committee expresses its appreciation to those States parties that have provided timely and thorough follow-up information.

The Committee's procedure under article 20 continued during the reporting period (see chap. V).

Under article 22 of the Convention, the Committee adopted 29 decisions on the merits and declared 12 communications inadmissible. Consideration of complaints was discontinued in 18 cases (see chap. VI). A total of 749 complaints have been registered since the entry into force of the Convention, including 70 since the writing of the previous report.

The Committee's workload under article 22 continues to grow, as demonstrated by the large number of complaints registered during the reporting period. At the end of the fifty-seventh session, 159 complaints were pending consideration (see chap. VI).

The Committee again notes that some States have failed to implement the decisions adopted on complaints. The Committee has continued to seek to ensure implementation of its decisions through its Rapporteurs for follow-up to article 22 (see chap. VI).

The Committee reaffirmed its support to the treaty body strengthening outcome while stressing the necessity to allocate sufficient staff resources so as to enable the Committee to address its backlog of individual complaints and therefore efficiently use the additional time of session provided under General Assembly resolution 68/125.

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# I. Organizational and other matters

## A. States parties to the Convention

1. As at 13 May 2016, the closing date of the fifty-seventh session of the Committee against Torture, there were 159 States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Convention was adopted by the General Assembly in its resolution 39/46 and entered into force on 26 June 1987.

2. Since the previous report, Fiji ratified the Convention on 14 March 2016. San Marino made a declaration recognizing the competence of the Committee under articles 21 and 22 of the Convention. The Committee calls upon all States that have not ratified the Convention to do so, and calls upon those that are already a party to accept all the procedures of the Convention. in order to enable the Committee to fulfil all aspects of its mandate.

3. All information on the status of the treaty, including declarations under articles 20, 21 and 22 and reservations and objections made by States parties with respect to the Convention, can be found at http://treaties.un.org.

## B. Sessions and agendas of the Committee

4. The Committee has held three sessions since the adoption of its previous annual report. The fifty-fifth session (1328th to 1355th meetings) was held from 27 July to 14 August 2015, the fifty-sixth session (1356th to 1393rd meetings) from 9 November to 9 December 2015, and the fifty-seventh session (1394th to 1431st meetings) from 18 April to 13 May 2016. Sessions were held at the United Nations Office at Geneva.

5. At its 1328th meeting, held on 27 July 2015, the Committee adopted the items listed in the provisional agenda submitted by the Secretary-General (CAT/C/55/1) as the agenda of its fifty-fifth session.

6. At its 1356th meeting, on 9 November 2015, the Committee adopted the items listed in the provisional agenda submitted by the Secretary-General (CAT/C/56/1) as the agenda of its fifty-sixth session.

7. At its 1394th meeting, on 18 April 2016, the Committee adopted the items listed in the provisional agenda submitted by the Secretary-General (CAT/C/57/1) as the agenda of its fifty-seventh session.

8. An account of the deliberations and decisions of the Committee at those three sessions is contained in the relevant summary records (CAT/C/SR.1328-1431) and document CAT/C/56/4.

## C. Membership, officers and mandates

9. Following the fifteenth meeting of States parties to the Convention, held on 8 October 2015, the membership of the Committee changed as of 1 January 2016. The lists of members, officers and mandates from 16 May 2015 to 31 December 2015 are contained in the annex to the present document. At its fifty-fifth session, the Committee decided to create the role of focal point, mandated to liaise with the United Nations Special Adviser of the Secretary-General on the Prevention of Genocide, Adama Dieng, and appointed Felice Gaer to that role.

## D. Participation of Committee members in other meetings

10. During the period under consideration, Committee members participated in various meetings:

(a) A workshop of regional and subregional courts organized by the Office of the United Nations High Commissioner for Human Rights (OHCHR), held on 20 and 21 October 2015 in Strasbourg, France, included a presentation via Skype by Ms. Gaer;

(b) A regional workshop on sharing best practices and experience in preventing torture in police custody, organized by the Convention against Torture Initiative and Morocco, held on 13-15 December 2015 in Marrakesh, Morocco, was attended by Essadia Belmir and Jens Modvig;

(c) A regional workshop on criminalizing torture, organized by the Convention against Torture Initiative and Ghana, held on 5 and 6 April 2016 in Accra, was attended by Mr. Modvig.

## E. Oral report of the Chair to the General Assembly

11. In accordance with paragraph 35 of General Assembly resolution 68/156, on 20 October 2015 the Chair of the Committee presented an oral report to and engaged in an interactive dialogue with the Assembly at its seventieth session (see the Committee web page, hosted on the website of OHCHR, www.ohchr.org).

## F. Activities of the Committee in connection with the Optional Protocol to the Convention

12. As at 13 May 2016, there were 81 States parties to the Optional Protocol to the Convention (see http://treaties.un.org). As required by the Optional Protocol, on 18 November 2015, a joint meeting was held between the members of the Committee and the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Committee and the Subcommittee on Prevention strengthened their cooperation through their active joint participation in a workshop on the topic of the rights of lesbian, gay, bisexual, transsexual and intersex persons and the prevention of torture and ill-treatment. The event was facilitated by the Association for the Prevention of Torture and the International Lesbian, Gay, Bisexual, Trans and Intersex Association.

13. An additional meeting was held on 28 April 2016 between the Committee and the Chair of the Subcommittee on Prevention, at which the latter presented to the Committee the ninth public annual report of the Subcommittee (CAT/C/57/4). The present report surveys the work of the Subcommittee in 2015. Following a brief introduction, section II provides an update on developments relating to the Optional Protocol system, including visits, the increase in States parties and in designated national preventive mechanisms, and the operation of the Special Fund established by the Optional Protocol. Section III highlights areas of cooperation between the Subcommittee and other international and regional bodies and civil society. Section IV provides information concerning the Subcommittee's working practices, including preliminary thoughts on some substantive issues. Section V sets out the Subcommittee's views on prevention of torture and other cruel, inhuman or degrading treatment or punishment of lesbian, gay, bisexual, transgender and intersex persons. Section VI reflects on the Subcommittee's 2016 programme of work and the practical challenges facing the Subcommittee as it continues to develop its work. The annex contains a compilation of advice provided by the Subcommittee in 2015 in response to requests from national preventive mechanisms.

## G. Joint statement on the occasion of the United Nations International Day in Support of Victims of Torture and cooperation with the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture

14. The Committee adopted a joint statement with the Subcommittee on Prevention, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture for issuance on 26 June 2015, the United Nations International Day in Support of Victims of Torture (see the web page of the Voluntary Fund at www.ohchr.org/EN/Issues/Torture/UNVFT/Pages/IntlDay.aspx). On 8 March 2016, in the context of the International Women's Day, the Committee issued a joint statement, entitled "Gender-based crimes through the lens of torture", with the Working Group on discrimination against women in law and practice, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, the Special Rapporteur on violence against women, its causes and consequences, the Special Rapporteur on trafficking in persons, especially women and children, the Special Rapporteur on torture, the Subcommittee on Prevention and the Board of Trustees of the Voluntary Fund. At its fifty-seventh session, the Committee held a meeting with a representative of the Board of Trustees of the Voluntary Fund. Alessio Bruni also attended an expert workshop of the Voluntary Fund on redress and rehabilitation of children and adolescent victims of torture and intergenerational transmission of trauma on 6 and 7 April 2016 in Geneva.

## H. Revised general comment on article 3 of the Convention

15. At its fifty-fifth session, the Committee decided to revise general comment No. 1 (1997) on article 3. At its fifty-sixth session, the Committee held a preliminary discussion on the main issues to be discussed in the context of the revised general comment. At its fifty-seventh session, the Committee held a preliminary discussion on a list of topics to be covered in the revised general comment. A working group, including Mr. Bruni as rapporteur, Ms. Belmir, Ms. Gaer and Abdelwahab Hani, has been entrusted with the drafting process. The Committee will continue the discussion on a list of topics at the fifty-ninth session.

## I. Participation of non-governmental organizations

16. The Committee has long recognized the work of non-governmental organizations and has met with them in private on the day immediately before the consideration of each State party report submitted under article 19 of the Convention. The Committee expresses its appreciation to those organizations for their participation in the meetings and is particularly appreciative of the attendance of national non-governmental organizations, which provide immediate and direct information. The Committee has benefited from thematic briefings organized by organizations, such as: (a) a briefing on non-refoulement and how to address practical and legal challenges, held on 6 August 2015 and organized by the World Organisation Against Torture; (b) a briefing on the United Nations, the European Union and civil society synergies in combating torture and the actions of non-governmental organizations in the field, to be presented as a report to the Committee and as assistance in follow-up to concluding observations, held on 19 November 2015 and organized by the International Federation of Action by Christians for the Abolition of Torture; (c) a briefing on fostering connections between the International Criminal Police Organization (INTERPOL) and the Committee, held on 7 December 2015 and organized by the organizations REDRESS and Fair Trials; and (d) a briefing on guidelines for anti-torture

legislation, held on 22 April 2016 and organized by the Association for the Prevention of Torture and REDRESS. The Committee would like to convey special thanks to these organ zations and in particular to the World Organisation Against Torture for its crucial role in coordinating the input of non-governmental organizations to the work of the Committee since its fifty-second session.

## J. Participation of national human rights institutions and national preventive mechanisms

17. Similarly, the Committee appreciates the work of national human rights institutions and national preventive mechanisms established by States parties as provided for under the Optional Protocol to the Convention. Since the fifty-fifth session, those institutions and mechanisms have had the possibility to meet in private plenary with the Committee. Specifically, at the fifty-fifth session, the Committee met with the institutions of Iraq, Slovakia and Switzerland and the mechanism of Switzerland; at the fifty-sixth session, it met with the institutions of Denmark and Jordan, the mechanism of Denmark and the institutions and mechanisms of Austria and Azerbaijan; and at the fifty-seventh session, it met with the institutions of the Philippines and Tunisia and the institution and mechanism of France. The Committee expresses its appreciation for the oral and written information it receives from them, and looks forward to continuing to benefit from the information it derives from those bodies, which has enhanced its understanding of the issues before the Committee.

## K. Rapporteurs on reprisals

18. At its forty-ninth session, the Committee decided to adopt a mechanism to prevent, monitor and follow up cases of reprisal against civil society organizations, human rights defenders, victims and witnesses after their engagement with the treaty body system. It subsequently appointed George Tugushi as the rapporteur on reprisals under article 19 and Mr. Bruni as the rapporteur on reprisals under articles 20 and 22. At its fifty-fifth session, the Committee adopted guidelines on the receipt and handling of allegations of reprisals against individuals and organizations cooperating with the Committee under articles 13, 19, 20 and 22 of the Convention (CAT/C/55/2). Those guidelines have been adopted with a clear recognition of the value of the Guidelines against Intimidation or Reprisals (the San José Guidelines).

19. At its fifty-seventh session, the Committee designated Mr. Bruni as the rapporteur on reprisals under article 19, 20 and 22. Information on actions taken by rapporteurs during the reporting period is available on the Committee against Torture web page.

## L. Treaty body strengthening process

20. At its fifty-fifth session, the Committee discussed the recommendations of the Chairs of the human rights treaty bodies at their twenty-seventh meeting, held in San José from 22 to 26 June 2015, which the Chair of the Committee had facilitated and in which he had played an important role. In that connection, the Committee took important decisions in relation to reprisals (see sect. I.K.). The Committee reaffirmed its support for the treaty body strengthening outcome, while stressing the necessity to allocate sufficient staff resources to the Petitions Unit so as to enable the Committee to address its backlog of individual complaints and therefore efficiently use the additional session time provided under General Assembly resolution 68/268.

## M. Implementation of retreat decisions on the working methods of the Committee

21. In follow-up to the decisions of its two-day retreat on working methods, held at its fifty-third session, the Committee undertook the following actions:

(a) Four States (Antigua and Barbuda, Cabo Verde, Côte d'Ivoire and Seychelles) with long overdue initial reports were offered the simplified reporting procedure (see sect. II.D.);

(b) The Committee started a preliminary substantive evaluation of the simplified reporting procedure (see sect. II.B.);

(c) The Committee adopted guidelines for follow-up to concluding observations (CAT/C/55/3);

(d) The Committee improved the contribution and participation of national human rights institutions, national preventive mechanisms and non-governmental organizations in its sessions (see sect. I.J.), including using new communication technologies, such as Skype;

(e) The Committee established a working group on individual complaints so as to enable the Committee to apprehend fully the internal processes of the individual complaints procedure and consider any need to revise the rules of procedure;

(f) The Committee decided to draft a revised general comment on article 3 (see sect. I.H.);

(g) The Committee adopted guidelines on the receipt and handling of allegations of reprisals against individuals and organizations cooperating with the Committee under articles 13, 19, 20 and 22 of the Convention (see sect. I.K.).

# II. Submission of reports by States parties under article 19 of the Convention

22. During the period covered by the present report, 21 reports from States parties under article 19 of the Convention were submitted to the Secretary-General. Initial reports were submitted by Lebanon and Pakistan. Second periodic reports were submitted by Afghanistan, Bahrain, Ireland, Namibia and Turkmenistan. A third periodic report was submitted by Kuwait. A combined third to fifth periodic report was submitted by the Republic of Korea. Fourth periodic reports were submitted by Armenia and Mauritius. Fifth periodic reports were submitted by Belarus and Sri Lanka. A combined fifth and sixth periodic report was submitted by Argentina. Sixth periodic reports were submitted by Bosnia and Herzegovina, Bulgaria, Italy and Monaco. Seventh periodic reports were submitted by Ecuador, Finland and Paraguay.

23. As at 13 May 2016, the Committee had received a total of 400 reports and had examined 376; there were 28 States parties with overdue initial reports and 35 States parties with overdue periodic reports (see the status of reports on the Committee web page).

## A. Invitation to submit periodic reports

24. Further to its decision taken at its forty-first session,[1] the Committee continued, at its fifty-fifth, fifty-sixth and fifty-seventh sessions, to invite States parties, in the last paragraph of the concluding observations, to submit their next periodic reports within a four-year period from the adoption of the concluding observations, and to indicate the due date of the next report in the same paragraph.

25. In addition, further to its decision taken at its forty-seventh session,[2] the Committee continued, at its fifty-fifth, fifty-sixth and fifty-seventh sessions, to invite States parties to accept, within one year from the adoption of their concluding observations, to report under the optional reporting procedure, or, if a State party has already accepted to report under the procedure, to indicate that the Committee will submit to the State party, in due course, a list of issues prior to the submission of its next periodic report.

## B. Simplified reporting procedure

26. The Committee welcomes the fact that a high number of States parties have accepted the optional reporting procedure, which consists of the preparation and adoption of a list of issues to be transmitted to States parties prior to the submission of a State party's periodic report (known as the list of issues prior to reporting). The procedure is aimed at assisting States parties to fulfil their reporting obligations, as it strengthens the cooperation between the Committee and States parties.[3] While the Committee understands that, since 2007, the adoption of lists of issues prior to reporting has facilitated the States parties' reporting obligations, it nonetheless wishes to emphasize that the procedure of drafting lists of issues prior to reporting has increased its workload substantially, as their preparation requires more work than the traditional lists of issues following the submission of a State party's report. This is particularly significant in a Committee with such a small membership.

27. The Committee decided, at its fifty-second session, to refer to this procedure as the simplified reporting procedure (lists of issues prior to reporting) and to continue to invite States parties to report under this procedure for their next periodic report.

28. At its fifty-sixth session, the Committee adopted lists of issues prior to reporting with regard to the States parties that had accepted the invitation to submit their next report, due in 2017, under this procedure: Kenya, Kyrgyzstan, Latvia, Netherlands, Poland and Portugal. It also adopted a list of issues prior to reporting with regard to a State party, Ghana, that had recently accepted the simplified reporting procedure. Those lists of issues prior to reporting were transmitted to the respective States parties.

29. At its fifty-seventh session, the Committee adopted a list of issues prior to reporting with regard to a State party, the United Kingdom of Great Britain and Northern Ireland, that had accepted the invitation to submit its next report, due in 2017, under this procedure. It also adopted lists of issues prior to reporting with regard to the States parties that had accepted the invitation to submit their next report, due in 2018, under this procedure: Cyprus, Lithuania and Uruguay.

30. At the retreat on its working methods, the Committee decided to offer the simplified reporting procedure to States parties with long overdue initial reports (two States per year, bearing in mind the capacity of the Secretariat). It also decided to establish a working group

[1] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 44* (A/64/44), para. 26.
[2] Ibid., *Sixty-seventh Session, Supplement No. 44* (A/67/44), para. 33.
[3] Ibid., *Sixty-sixth Session, Supplement No. 44* (A/66/44), paras. 28-35.

to contribute to a substantive evaluation of the simplified reporting procedure. The Committee took into account the report of the secretariat on the status of the optional reporting procedure (CAT/C/47/2) and the note by the secretariat on the simplified reporting procedure (HRI/MC/2014/4) issued following the adoption by the General Assembly of resolution 68/268. At its fifty-fifth session, the Committee held a discussion on a preliminary evaluation of the simplified reporting procedure.

31. In the Committee's view, the fact that only 4 of the 127 States parties that are at the periodic reporting stage declined to report under it indicates the success of this procedure; 92 have expressly accepted to report under it and the remaining 31 have not yet answered or have not yet been invited to report under it. In addition, the fact that other treaty bodies have also adopted this procedure indicates its clear added value for the reporting system. It should also be noted that, on 29 January 2016, for the first time, a State with a long overdue initial report, Côte d'Ivoire, accepted the simplified reporting procedure offered by the Committee (see sect. II.D.).

32. The updated information relating to the procedure is available from a dedicated web page (www.ohchr.org/EN/HRBodies/CAT/Pages/ReportingProcedures.aspx).

## C. Reminders for overdue initial and periodic reports

33. At its fifty-third session, the Committee decided to send reminders to all States parties whose initial reports were overdue and to all States parties whose periodic reports were four or more years overdue.

34. The Committee drew the attention of those States parties to the fact that delays in reporting seriously hamper the implementation of the Convention in the States parties and the ability of the Committee to carry out its function of monitoring such implementation. The Committee requested information on the progress made by those States parties in fulfilling their reporting obligations and on any obstacles that they might be facing in that respect. It also informed them that, in accordance with rule 67 of its rules of procedure, the Committee might proceed with a review of the implementation of the Convention in the State party in the absence of a report, and that such review would be carried out on the basis of information that is available to the Committee, including sources from outside the United Nations. In its annual reports, the Committee also reminds States parties of their reporting obligations under the Convention. The Committee would like to reiterate its support to the Convention against Torture Initiative, which is actively engaged in the universal ratification of the Convention and its full implementation, including the compliance of States with their reporting obligations. The Committee held a meeting with the Initiative during its fifty-fifth session and attended several of its activities.

## D. Examination of measures taken by a State party in the absence of a report

35. The Committee decided at its fifty-second session to take action with regard to States parties whose initial reports were long overdue. Noting that the initial reports of Cabo Verde and Seychelles had been overdue since 1993, the Committee decided to send a specific reminder to those States parties to submit their initial reports before the fifty-fourth session of the Committee. At the end of the fifty-third session, the Committee decided to offer those States parties the simplified reporting procedure. If they did not accept the simplified reporting procedure or if reports under the traditional reporting procedure were not received pursuant to article 67 of its rules of procedure, the Committee would conduct at a future session an examination, in the absence of a report, of the measures taken by each

of those States parties to implement the provisions of the Convention in its territory. While Seychelles indicated that a report was under preparation, Cabo Verde did not reply. At its fifty-sixth session, the Committee decided to examine the situation of Cabo Verde in the absence of a report by the end of 2016. At the same session, the Committee decided to send specific reminders to Antigua and Barbuda and the Côte d'Ivoire to submit their long overdue initial reports or to accept the simplified reporting procedure. If they do not accept the simplified reporting procedure or if initial reports are not received pursuant to article 67 of its rules of procedure, the Committee will conduct at a future session an examination, in the absence of a report, of the measures taken by each of those States parties to implement the provisions of the Convention in its territory. At its fifty-seventh session, the Committee decided to examine the situation of Cabo Verde in the absence of a report at its fifty-ninth session. On 29 January 2016, Côte d'Ivoire accepted the simplified reporting procedure and will therefore receive a list of issues prior to reporting.

### E. Request for a special report

36. At its fifty-sixth session, in conformity with article 19 (1) of the Convention, and on the basis of information provided by the United Nations — such as the reports of the United Nations High Commissioner for Human Rights and the Special Adviser of the Secretary-General on the Prevention of Genocide to the United Nations Security Council — and civil society organizations, the Committee decided to request that Burundi submit to it a special report on the following: (a) the measures taken by the State party to investigate reliable and numerous sources of information on summary executions, including political assassinations, arbitrary arrests, ill-treatment and torture in 2015 against members of opposition political parties, journalists, human rights defenders and their families and any other persons perceived to be supportive of the opposition, including information on whether any investigations led to the prosecution of security forces' members or any other officials and individuals, and their outcome; (b) the progress of any investigations into the armed attack perpetrated in August 2015 against Pierre Claver Mbonimpa and the abduction and murder in November 2015 of his son, Welly Nzitonda; (c) the measures taken by the State party to investigate reliable and numerous sources of information on torture by members of the National Intelligence Service at its compound near Bujumbura cathedral, including information on whether any investigations led to the prosecution of National Intelligence Service members and their outcome; (d) the measures taken by the State party to investigate reliable and numerous sources of information on killings and torture perpetrated by members of the *Imbonerakure* youth group against persons perceived to be supportive of the opposition, including during an incident on 3 October in Cibitoke, including information on whether any investigations led to the prosecution of *Imbonerakure* members and their outcome; and (e) the measures taken by the State party to implement the Committee's recommendations contained in its concluding observations of 26 November 2014 under the follow-up procedure.

## III. Consideration of reports submitted by States parties under article 19 of the Convention

37. At its fifty-fifth, fifty-sixth and fifty-seventh sessions, the Committee considered reports submitted by 15 States parties under article 19 (1) of the Convention and adopted 17 sets of concluding observations.

38. The reports considered by the Committee at its fifty-fifth session and the concluding observations thereon are available from the Official Document System of the United Nations (http://documents.un.org) under the symbols indicated below:

| *Party* | *Country rapporteurs* | *Report* | *Concluding observations* |
|---|---|---|---|
| Iraq | Alessio Bruni<br>Essadia Belmir | Initial report<br>(CAT/C/IRQ/1) | CAT/C/IRQ/CO/1 |
| Slovakia | Jens Modvig<br>George Tugushi | Third periodic report<br>(CAT/C/SVK/3) | CAT/C/SVK/CO/3 |
| Switzerland | Abdoulaye Gaye<br>Sapana Pradhan-Mallah | Seventh periodic report<br>(CAT/C/CHE/7) | CAT/C/CHE/CO/7 |

39. The reports considered by the Committee at its fifty-sixth session and the concluding observations thereon are available from the Official Document System of the United Nations (http://documents.un.org) under the symbols indicated below:

| *Party* | *Country rapporteurs* | *Report* | *Concluding observations* |
|---|---|---|---|
| Austria | Claudio Grossman<br>Abdoulaye Gaye | Sixth periodic report<br>(CAT/C/AUT/6) | CAT/C/AUT/CO/6 |
| Azerbaijan | George Tugushi<br>Kening Zhang | Fourth periodic report<br>(CAT/C/AZE/4) | CAT/C/AZE/CO/4 |
| China | George Tugushi<br>Jens Modvig | Fifth periodic report<br>(CAT/C/CHN/5) | CAT/C/CHN/CO/5 |
| Hong Kong, China | George Tugushi<br>Jens Modvig | Fifth periodic report<br>(CAT/C/CHN-HKG/5) | CAT/C/CHN-HKG/CO/5 |
| Macau, China | George Tugushi<br>Jens Modvig | Fifth periodic report<br>(CAT/C/CHN-MAC/5) | CAT/C/CHN-MAC/CO/5 |
| Denmark | Alessio Bruni<br>Sapana Pradhan-Mallah | Combined sixth and seventh periodic reports<br>(CAT/C/DNK/6-7) | CAT/C/DNK/CO/6-7 |
| Jordan | Essadia Belmir<br>Kening Zhang | Third periodic report<br>(CAT/C/JOR/3) | CAT/C/JOR/CO/3 |
| Liechtenstein | Alessio Bruni<br>Satyabhoosun Gupt Domah | Fourth periodic report<br>(CAT/C/LIE/4) | CAT/C/LIE/CO/4 |

40. The reports considered by the Committee at its fifty-seventh session and the concluding observations thereon are available from the Official Document System of the United Nations (http://documents.un.org) under the symbols indicated below:

| *Party* | *Country rapporteurs* | *Report* | *Concluding observations* |
|---|---|---|---|
| Israel | Jens Modvig<br>Sapana Pradhan-Mallah | Fifth periodic report (CAT/C/ISR/5) | CAT/C/ISR/CO/5 |
| France | Alessio Bruni<br>Jens Modvig | Seventh periodic report (CAT/C/FRA/7) | CAT/C/FRA/CO/7 |
| Philippines | Sapana Pradhan-Mallah<br>Essadia Belmir | Third periodic report (CAT/C/PHL/3) | CAT/C/PHL/CO/3 |
| Saudi Arabia | Felice Gaer<br>Kening Zhang | Second periodic report (CAT/C/SAU/2) | CAT/C/SAU/CO/2 |
| Tunisia | Essadia Belmir<br>Kening Zhang | Third periodic report (CAT/C/TUN/3 and Add.1) | CAT/C/TUN/CO/3 |
| Turkey | Alessio Bruni<br>Felice Gaer | Fourth periodic report (CAT/C/TUR/4) | CAT/C/TUR/CO/4 |

41. In accordance with rule 68 of the rules of procedure of the Committee, representatives of each reporting State were invited to attend the meetings of the Committee when their report was examined. All of the States parties whose reports were considered sent representatives to participate in the examination of their respective reports. The Committee expressed its appreciation for this in its concluding observations.

42. Two country rapporteurs were designated by the Committee for each of the reports considered, as reflected in the tables above.

## IV. Follow-up to concluding observations on States parties' reports

43. At its thirtieth session, in May 2003, the Committee developed a procedure to provide for follow-up subsequent to the adoption of the concluding observations on reports of States parties under article 19 of the Convention.[4] The Committee has presented information in each of its annual reports thereafter, outlining its experience in receiving information on follow-up measures taken by States parties, including substantive trends and further modifications it has made in the procedure. A more detailed description of the procedure can be found in the guidelines for follow-up to concluding observations, adopted by the Committee at its fifty-fifth session.[5]

44. In accordance with its rules of procedure, the Committee established the post of Rapporteur for follow-up to concluding observations under article 19 of the Convention. Over the period covered by the present annual report, Mr. Modvig continued to fill that post.[6] However, in view of the election of Mr. Modvig to Chair of the Committee, Mr. Hani

[4] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 44* (A/58/44), para. 12.
[5] CAT/C/55/3.
[6] Ibid., para. 9.

was appointed as the new Rapporteur for follow-up to concluding observations at the end of the Committee's fifty-seventh session.

45. From May 2003 to the end of the fifty-seventh session, in May 2016, the Committee reviewed 190 reports from States parties for which it identified follow-up recommendations. Of the 167 follow-up reports that had been due by 13 May 2016, the time of the adoption of the present report, 119 had been received by the Committee, for a 71 per cent overall response rate. The status of the follow-up is compiled in a chart maintained on the web page of the Committee.[7] Additional information, including submissions by States parties, communications sent by the rapporteur for follow-up, State party responses and reports from national human rights institutions, non-governmental organizations and other civil society actors, are posted on that web page.

46. As at 13 May 2016, the following States had not yet supplied follow-up information that had fallen due:[8] Albania (forty-eighth session), Benin (thirty-ninth), Bolivia (Plurinational State of) (fiftieth), Burkina Faso (fifty-first), Cambodia (forty-fifth), Cameroon (forty-fourth), Chad (forty-second), Costa Rica (fortieth), Cuba (forty-eighth), the Democratic Republic of the Congo (thirty-fifth), Djibouti (forty-seventh), Ecuador (forty-fifth), El Salvador (forty-third), Ethiopia (forty-fifth), Gabon (forty-ninth), Ghana (forty-sixth), Guinea (fifty-second), Indonesia (fortieth), Kyrgyzstan (fifty-first), Madagascar (forty-seventh), Mauritania (fiftieth), Mauritius (forty-sixth), Mozambique (fifty-first), Nicaragua (forty-second), Rwanda (forty-eighth), Sierra Leone (fifty-second), South Africa (thirty-seventh), the Syrian Arab Republic (forty-eighth), Uganda (thirty-fourth), Venezuela (Bolivarian Republic of) (fifty-third), Yemen (forty-fourth), Zambia (fortieth), and the Holy See (fifty-second).

47. The Rapporteur sends reminders requesting the outstanding information to each State party for which follow-up information is due, but has not yet been submitted. During the period under review, the Rapporteur sent reminders to Burundi, Croatia, Guinea, Montenegro, Sierra Leone, Uruguay, Venezuela (Bolivarian Republic of) and the Holy See.[9]

48. From 16 May 2014 to 13 May 2015, follow-up reports were received from the following 11 States parties, in the order of receipt: Cyprus (CAT/C/CYP/CO/4/Add.1), Croatia (CAT/C/HRV/CO/4-5/Add.2), Thailand (CAT/C/THA/CO/1/Add.1), Lithuania (CAT/C/LTU/CO/3/Add.1), Uruguay (CAT/C/URY/CO/3/Add.1), Montenegro (CAT/C/MNE/CO/2/Add.1), Kazakhstan (CAT/C/KAZ/CO/3/Add.1), Australia (CAT/C/AUS/CO/4-5/Add.1), Sweden (CAT/C/SWE/CO/6-7/Add.1), Ukraine (CAT/C/UKR/CO/6/Add.1) and United States of America (CAT/C/USA/CO/3-5/Add.1).[10]

49. The Rapporteur expresses appreciation for the information provided by these States parties regarding measures taken to implement their obligations under the Convention. He assesses the responses received as to whether all the issues identified by the Committee for follow-up have been addressed by the State party and whether the information provided responds to the Committee's concerns and recommendations. The Rapporteur communicates with States parties under the follow-up procedure once their report has been

[7] In 2010, the Committee established a separate web page for follow-up: http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/FollowUp.aspx?Treaty=CAT&Lang=en. An overview of the follow-up procedure since 2003 can be found at the same web page.

[8] States parties that did not supply follow-up information prior to the submission of their next periodic report are not included in the list.

[9] Communications sent by the Rapporteur for follow-up to concluding observations are available from the web page for follow-up (http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/FollowUp.aspx?Treaty=CAT&Lang=en).

[10] Follow-up reports by States parties are available from the web page for follow-up.

received and assessed. Such communications reflect the analysis carried out by the Rapporteur, specify the pending issues and indicate a time frame for the reply.

50. The Rapporteur also expresses appreciation for the information submitted by national human rights institutions, human rights non-governmental organizations and civil society groups under the follow-up procedure. As at 13 May 2016, the Committee had received follow-up reports from such sources on the following States parties, in the order of receipt: Tajikistan, United States of America, Burundi, Japan, Ukraine, Switzerland, Uruguay, Kazakhstan, Venezuela (Bolivarian Republic of) and Peru.[11]

51. At the fifty-fifth, fifty-sixth and fifty-seventh sessions, the Rapporteur for follow-up to concluding observations submitted progress reports to the Committee on the procedure, as has been done at previous sessions. In his oral reports to the Committee, the Rapporteur indicated that, at its fifty-fifth session, the Committee had adopted guidelines for the follow-up procedure with the purpose of strengthening the procedure and aligning it with the follow-up procedures for other treaty bodies. The new guidelines include: the use of an assessment system for the Committee's analysis of the States parties' follow-up reports; an invitation to States parties to provide a plan for the implementation of all or some of the recommendations in the concluding observations; information on how to make recommendations clearer and easier to implement; and information on consolidating the role of civil society organizations and national human rights institutions in monitoring and supporting that implementation. The guidelines also strengthened the reminder procedure in cases of non-compliance with the follow-up and introduced the possibility of meetings between Committee members and States parties on follow-up issues.

52. The Rapporteur explained that the new guidelines had been implemented for follow-up for its fiftieth to fifty-third session, during which the Committee had reviewed the reports of 33 States parties and had received follow-up reports from 23 of them, for a reporting compliance rate of 69 per cent. Mr. Modvig stressed that the new guidelines made the lack of reporting visible in the concluding observations, which would hopefully contribute to increasing this compliance.

53. Mr. Modvig indicated that he had assessed information relating to 87 recommendations in the 23 follow-up reports. He found that in 52 per cent of cases thorough and extensive information had been provided on the recommendations; in 38 per cent of cases the information provided had addressed the recommendations to some degree; and the information provided in 10 per cent of the cases had failed to relate to the recommendations. For the first time, the follow-up reports had been assessed as to the degree to which specific follow-up recommendations had been implemented: full implementation had been found in 6 per cent of the cases; substantive steps had been taken in 24 per cent of the cases; initial implementation steps had been taken in 33 per cent of the cases; and no implementation in 29 per cent of the cases. In 8 per cent of the recommendations, the information had not allowed for an assessment.

## V. Activities of the Committee under article 20 of the Convention

54. In accordance with article 20 (1) of the Convention, if the Committee receives reliable information that appears to it to contain well-founded indications that torture is being systematically practised in the territory of a State party, the Committee shall invite that State party to cooperate in the examination of the information and, to that end, to submit observations with regard to the information concerned.

[11] These submissions are also available from the web page for follow-up.

55. In accordance with rule 75 of the Committee's rules of procedure, the Secretary-General shall bring to the attention of the Committee information that is, or appears to be, submitted for the Committee's consideration under article 20 (1) of the Convention.

56. No information shall be received by the Committee if it concerns a State party that, in accordance with article 28 (1) of the Convention, declared at the time of ratification of or accession to the Convention that it did not recognize the competence of the Committee provided for in article 20, unless that State party has subsequently withdrawn its reservation in accordance with article 28 (2) of the Convention.

57. The Committee's work under article 20 of the Convention continued during the period under review. In accordance with the provisions of article 20 and rules 78 and 79 of the Committee's rules of procedure, all documents and proceedings of the Committee relating to its functions under article 20 are confidential and all the meetings concerning its proceedings under that article are closed. However, in accordance with article 20 (5) of the Convention, the Committee may, after consultations with the State party concerned, decide to include a summary account of the results of the proceedings in its annual report to the States parties and to the General Assembly.

58. In the framework of the Committee's follow-up activities, the rapporteurs on article 20 continued to carry out activities aimed at encouraging States parties on which enquiries had been conducted and the results of such enquiries had been published, to take measures to implement the Committee's recommendations. At its fifty-sixth session, the Committee adopted internal guidelines on practical modalities and criteria for deciding on follow-up visits to inquiry missions carried out under article 20 of the Convention.

59. Further information on the inquiry procedure is available on the Committee against Torture web page.

# VI. Consideration of complaints under article 22 of the Convention

## A. Introduction

60. Under article 22 of the Convention, individuals who claim to be victims of a violation by a State party of the provisions of the Convention may submit a complaint to the Committee against Torture for consideration, subject to the conditions laid down in that article. Sixty-six States parties to the Convention have declared that they recognize the competence of the Committee to receive and consider complaints under article 22 of the Convention. No complaint may be considered by the Committee if it concerns a State party to the Convention that has not recognized the Committee's competence under article 22.

61. In accordance with rule 104, paragraph 1, of its rules of procedure, the Committee established the post of the Rapporteur on new complaints and interim measures, which was held by Satyabhoosun Gupt Domah until 31 December 2015 and is currently held by Kening Zhang.

62. Complaints under article 22 of the Convention are considered in closed meetings. All documents relating to the work of the Committee under article 22, that is, submissions from the parties and other working documents of the Committee, are confidential.

63. The Committee decides on a complaint in the light of all information made available to it by the parties. The findings of the Committee are communicated to the parties and are made available to the public. The text of the Committee's decisions declaring complaints

inadmissible or discontinuing the examination of a case are also made public, without disclosing the identity of the complainant, but identifying the State party concerned.

## B. Interim measures of protection

64. Complainants frequently request preventive protection, particularly in cases concerning imminent expulsion or extradition, where they allege a violation of article 3 of the Convention. Pursuant to rule 114, paragraph 1, of its rules of procedure, at any time after the receipt of a complaint, the Committee, through its Rapporteur on new complaints and interim measures, may transmit to the State party concerned a request that it take such interim measures as the Committee considers necessary to avoid irreparable damage to the victim(s) of the alleged violation(s). The State party shall be informed that such a request does not imply a determination of the admissibility or the merits of the complaint. During the reporting period, requests for interim measures of protection were received in 68 complaints, of which 50 were granted by the Rapporteur on new complaints and interim measures, who regularly monitors compliance with the Committee's requests for interim measures.

## C. Progress of work

65. At the time of adoption of the present report, the Committee had registered, since 1989, 749 complaints concerning 36 States parties.[12] Of those, 216 complaints had been discontinued and 80 had been declared inadmissible. The Committee had adopted final decisions on the merits on 294 complaints and found violations of the Convention in 119 of them. One hundred and fifty-nine complaints were pending for consideration. All the Committee's decisions on merits as well as those declaring a complaint inadmissible can be found in the treaty body case law database (http://juris.ohchr.org/) as well as from the OHCHR website (www2.ohchr.org) and from the Official Document System of the United Nations (http://documents.un.org).

66. At its fifty-fifth session, the Committee adopted decisions on the merits in respect of communications No.: 575/2013, *Ntahiraja v. Burundi*, No. 554/2013, *X. v. Kazakhstan*, No. 500/2012, *Martinez v. Mexico*, No. 494/2012, *H.B. v. Algeria*, No. 522/2012, *Gahungu v. Burundi*, No. 553/2013, *X. v. Burundi*, No. 505/2012, *P.S.B. and T.K. v. Canada*, No. 530/2012, *X., Y. & Z. v. Sweden*, No. 571/2013, *M.S. v. Denmark*, No. 555/2013, *Z. v. Denmark*, and No. 566/2013, *M.A. & M.N. v. Sweden*.

67. The Committee found that the forcible return of the complainants would constitute a violation by the States parties of article 3 of the Convention in its decisions on communications No. 505/2012, *P.S.B. and T.K. v. Canada*, and No. 554/2013, *X. v. Kazakhstan*. The Committee found that the forcible return of the complainants would not constitute a violation by the States parties of article 3 of the Convention in its decisions on communications No. 530/2012, *X., Y. & Z. v. Sweden*, No. 571/2013, *M.S. v. Denmark*, No. 555/2013, *Z. v. Denmark*, and No. 566/2013, *M.A. & M.N. v. Sweden*.

68. In its decisions on communications No. 522/2012, *Gahungu v. Burundi*, No. 553/2013, *X. v. Burundi*, and No. 575/2013, *Ntahiraja v. Burundi*, the Committee found violations of article 1; article 2 (1), read in conjunction with article 1; articles 11-14; and article 16 of the Convention. The above communications concerned individuals who had been tortured while in pretrial detention and then imprisoned in inhuman conditions. In

[12] The complaints examined by the Committee in relation to the Federal Republic of Yugoslavia, as well as to Serbia and Montenegro, are attributed to Serbia for statistical purposes.

communication No. 494/2012, *H.B. v. Algeria*, the Committee found violations of article 1; article 2 (1), read in conjunction with article 1; and articles 11-14 of the Convention, also in relation to torture of the complainant in detention. In communication No. 500/2012, *Martínez v. Mexico*, the Committee found violations of articles 1, 2 (1), 12-15 and 22 of the Convention in relation to torture in preventive custody, inhuman conditions of detention and failure of the State party to respect the Committee's request for protective measures for the complainants.

69. The Committee also found two communications, namely, No. 512/2012, *Y. v. Canada* and No. 642/2014, *M.T. v. Sweden*, inadmissible and discontinued the consideration of communication No. 574/2013, *R.S. v. Canada*.

70. At its fifty-sixth session, the Committee adopted decisions on the merits in respect of communications No. 569/2013, *M.C. v. Netherlands*, No. 586/2014, *R.G. et al v. Sweden*, No. 523/2012, *X. v. Finland*, No. 562/2013, *J.K. v. Canada*, No. 613/2014, *F.B. v. Netherlands*, No. 580/2014, *F.K. v. Denmark*, No. 578/2013, *E.N. v. Burundi*, No. 671/2015, *D.I.S. v. Hungary*, No. 565/2013, *S.A.P. et al. v. Switzerland*, No. 591/2014, *K.N. v. Australia*, and No. 594/2014, *B.M.S. v. Sweden*.

71. The Committee found that the forcible return of the complainants would constitute a violation by the States parties of article 3 of the Convention in its decisions on communications No. 569/2013, *M.C. v. Netherlands*, No. 586/2014, *R.G. et al v. Sweden*, No. 523/2012, *X. v. Finland*, No. 562/2013, *J.K. v. Canada*, No. 613/2014, *F.B. v. Netherlands*, No. 580/2014, *F.K. v. Denmark*. In communication No. 580/2014, *F.K. v. Denmark*, the Committee also found a violation of article 12, read in conjunction with article 16, of the Convention, because the State party's authorities had failed to investigate allegations of ill-treatment. In communication No. 578/2013, *E.N. v. Burundi*, the Committee found violations of article 1; article 2 (1), read in conjunction with article 1; and articles 11-14 of the Convention. In communication No. 671/2015, *D.I.S. v. Hungary*, the Committee found a violation of article 22 of the Convention because of the State party's failure to cooperate and to respect the Committee's requests for interim measures.

72. The Committee found that the forcible return of the complainants would not constitute a violation by the States parties of article 3 of the Convention in its decisions on communications No. 565/2013, *S.A.P. et al. v. Switzerland*, No. 591/2014, *K.N. v. Australia*, and No. 594/2014, *B.M.S. v. Sweden*.

73. The Committee also found six communications, namely, No. 577/2013, *N.B. v. Russian Federation*, No. 604/2014, *H.Z. v. Canada*, No. 635/2014, *M.K. and B.B. v. Switzerland*, No. 643/2014, *U.A. v. Sweden*, No. 536/2013, *H.B.A. et al. v. Canada*, and No. 545/2013, *Z. v. Switzerland*, inadmissible and discontinued the consideration of communications No. 358/2008, *A.S. v. Canada*, No. 403/2009, *Y.N. v. Switzerland*, No. 410/2010, *H.S. et al v. Canada*, No. 563/2013, *N.S. v. Canada*, No. 564/2013, *A.A. v. Sweden*, No. 570/2013, *G.M. v. Switzerland*, No. 587/2014, *R.U. et al v. Sweden*, No. 622/2014, *S.O. v. Morocco*, No. 631/2014, *D.G. v. Norway*, and No. 676/2015, *A.L. v. Morocco*.

74. At its fifty-seventh session, the Committee adopted decisions on the merits in respect of communications No. 558/2013, *R.D. et al. v. Switzerland*, No. 628/2014, *J.N. v. Denmark*, No. 531/2012, *L.A. v. Algeria*, No. 551/2013, *Elaïba v. Tunisia*, No. 583/2014, *A. v. Canada*, No. 605/2014, *G.R. v. Australia*, No. 611/2014, *P.A. v. Netherlands*.

75. The Committee found that the forcible return of the complainants would constitute a violation by the States parties of article 3 of the Convention in its decisions on communications No. 558/2013, *R.D. et al. v. Switzerland*, and No. 628/2014, *J.N. v. Denmark*. In communication No. 531/2012, *L.A. v. Algeria*, the Committee found a violation of article 13 of the Convention. In communication No. 551/2013, *Elaïba v.*

*Tunisia*, the Committee found violations of articles 1, 2 (1) and 11-16 of the Convention. The Committee found that the forcible return of the complainants would not constitute a violation by the States parties of article 3 of the Convention in its decisions on communications No. 583/2014, *A. v. Canada*, No. 605/2014, *G.R. v. Australia*, No. 611/2014, *P.A. v. Netherlands*.

76. The Committee also declared one communication, No. 584/2014, *B.M. v. Switzerland*, admissible, found four communications, No. 529/2012, *J.B. v. Canada*, No. 593/2014, *I.M. and P.Z. v. Denmark*, No. 598/2014, *B.R. v. Italy*, and No. 709/2015, *C.N. v. Denmark*, inadmissible and discontinued the consideration of communications No. 527/2012, *O.A. v. Canada*, No. 528/2012, *E.A.U. v. Canada*. No. 533/2012, *A.K.K. v. Canada*, No. 535/2013, *J.R. v. Canada*, No. 596/2014, *S.S. v. Canada*, No. 657/2015, *J.K. v. Australia*, and No. 726/2016, *H.D. v. Finland*.

## D. Follow-up activities

77. At its twenty-eighth session, in May 2002, the Committee established the function of Rapporteur for follow-up to decisions on complaints submitted under article 22. At its 527th meeting, on 16 May 2002, the Committee decided that the Rapporteur should engage, inter alia, in the following activities: monitoring compliance with the Committee's decisions by sending notes verbales to States parties enquiring about measures adopted pursuant to the Committee's decisions; recommending to the Committee appropriate action upon the receipt of responses from States parties, in situations of non-response, and upon the receipt henceforth of all letters from complainants concerning non-implementation of the Committee's decisions; meeting with representatives of the permanent missions of States parties to encourage compliance and to determine whether advisory services or technical assistance by OHCHR would be appropriate or desirable; conducting with the approval of the Committee follow-up visits to States parties; and preparing periodic reports for the Committee on his or her activities.

78. During its fifty-sixth session, the Committee reviewed submissions related to nine cases that are currently monitored through the Committee's follow-up procedure. The Committee decided to close the follow-up dialogue with a note of partially satisfactory resolution with regard to one communication, No. 257/2004, *Keremedchiev v. Bulgaria*. In that case, the complainants had been awarded compensation for ill-treatment by the State party. The Committee reviewed the information received with regard to eight other cases and decided to keep the follow-up dialogue open.

79. During its fifty-seventh session, the Committee reviewed submissions related to eight cases that are currently monitored through the Committee's follow-up procedure. The Committee decided to close the follow-up dialogue with a note of satisfactory resolution with regard to communications No. 613/2014, *F.B. v. The Netherlands*, and No. 544/2013, *A.K. v. Switzerland*. The Committee reviewed the information received with regard to six other cases and decided to keep the follow-up dialogue open.

80. At the time of the adoption of the present report, the Committee had closed the follow-up dialogue with a note of satisfactory or partially satisfactory resolution with regard to 51 communications, out of a total of 119 communications where it had found violations of different provisions of the Convention. Additional information may be found in documents CAT/C/56/2 and CAT/C/57/3.

## VII. Future meetings of the Committee

81. Further to General Assembly resolution 68/268, the Committee will hold three regular sessions in 2016: the fifty-seventh session (18 April-13 May 2016), the fifty-eighth session (25 July-12 August 2016) and the fifty-ninth session (7 November-7 December 2016).

## VIII. Adoption of the annual report of the Committee on its activities

82. In accordance with article 24 of the Convention, the Committee shall submit an annual report on its activities to the States parties and to the General Assembly. Since the Committee holds its third regular session of each calendar year in November, which coincides with the regular sessions of the General Assembly, it adopts its annual report at the end of its spring session, for transmission to the General Assembly during the same calendar year. Accordingly, at its 1430th meeting, held on 13 May 2016 (see CAT/C/SR.1430), the Committee considered and unanimously adopted the report on its activities at the fifty-seventh, fifty-eighth and fifty-ninth sessions.

## Annex

### Membership, officers and mandates from 16 May 2015 to 31 December 2015

| *Name of member* | *Country of nationality* | *Term expires on 31 December* |
|---|---|---|
| Essadia Belmir (Vice-Chair) | Morocco | 2017 |
| Alessio Bruni (Rapporteur on reprisals under articles 20 and 22) | Italy | 2017 |
| Satyabhooshun Gupt Domah (Rapporteur) (Rapporteur on new complaints and interim measures, and on follow-up on decisions adopted under article 22) | Mauritius | 2015 |
| Felice Gaer (Vice-Chair) | United States of America | 2015 |
| Abdoulaye Gaye | Senegal | 2015 |
| Claudio Grossman (Chair) | Chile | 2015 |
| Jens Modvig (Rapporteur on follow-up to article 19) | Denmark | 2017 |
| Sapana Pradhan-Malla | Nepal | 2017 |
| George Tugushi (Vice-Chair) (Rapporteur on reprisals under article 19) | Georgia | 2015 |
| Kening Zhang | China | 2017 |

## Membership, officers and mandates from 1 January 2016 to 31 December 2017[a]

| *Name of member* | *Country of nationality* | *Term expires on 31 December* |
|---|---|---|
| Essadia Belmir (Vice-Chair) | Morocco | 2017 |
| Alessio Bruni (Rapporteur on reprisals) | Italy | 2017 |
| Felice Gaer (Vice-Chair) | United States of America | 2019 |
| Abdelwahab Hani (Rapporteur on follow-up to article 19) | Tunisia | 2019 |
| Claude Heller Rouassant (Vice-Chair) | Mexico | 2019 |
| Jens Modvig (Chair) | Denmark | 2017 |
| Sapana Pradhan-Malla (Rapporteur on follow-up on decisions adopted under article 22) | Nepal | 2017 |
| Ana Racu | Republic of Moldova | 2019 |
| Sébastien Touzé (Rapporteur) | France | 2019 |
| Kening Zhang (Rapporteur on new complaints and interim measures) | China | 2017 |

[a] For the period 1 January 2016 to 17 April 2016, in conformity with rules 16, 17 and 21 of the rules of procedure, the Committee unanimously decided to proceed to an election to fill the vacancies of outgoing members. The following members were elected: Mr. Bruni (Vice-Chair); Ms. Belmir (Rapporteur); Mr. Zhang (Rapporteur on new communications); Ms. Pradhan-Malla (Rapporteur on follow-up to article 22); and Mr. Bruni (Rapporteur on reprisals under article 19). In conformity with rules 12.2, 16, 17 and 19.3, the Committee unanimously decided to proceed to an election of the Acting Chair for the period 1 January 2016 until one day before the first meeting of the Committee composed of its new members, at which time it would elect its officers. The Committee elected Mr. Modvig as Acting-Chair. In accordance with the Committee's decision and interpretation, paragraphs 1 and 2 of rule 19 do not apply in the present situation. On 18 April 2016, the Committee elected a new Chair and Bureau by consensus.